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*Secretary of State  
State of Arizona*



Arizona State Library,  
Archives & Public Records

# **SOCIAL MEDIA RECORDS MANAGEMENT**

SESSION 6 OF 7 ON RECORDS MANAGEMENT

This training does not constitute a legal opinion or legal advice on the part of the Library, Archives and Public Records Branch, of the Secretary Of State.

# PRESENTER(S)

**Jerry Lucente-Kirkpatrick**

*Records Analyst*

(RM Training; Retention Schedules and Imaging – Local Agencies)

Archives and Records Management Branch

*And*

**Melanie Sturgeon**

*State Archivist*

Archives and Records Management

Library, Archives and Public Records

Arizona Secretary of State

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16

**Poetry 2.0**

SEP  
01

**We're Closed Labor Day**

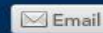
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## Archives and Records Management

The State Archives, located in the Polly Rosenbaum Archives and History Building, collects preserves and makes available to the public and all branches of government, permanent public records, historical manuscripts, photographs and other materials that contribute to the understanding of Arizona history. The Records Management Center administers the management of public records throughout state and local government in Arizona.



**Archival Research Materials**

### Archives and Records Management

[Research at the Archives](#)

[Records Center Services](#)

[Retention Schedules, Standards, Forms and Guidance](#)

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### We're here to help

Arizona State Archives  
602-926-3720  
[Email](#)

Records Management  
602-926-3815

# PRE-SESSION QUIZ

1. Does your Public Body use Social Media?
  - If yes, why?
  - If no, why not?
2. Is your Public Body Facebook page a record?
  - If yes, why?
  - If no, why not?
3. What are the three biggest benefits of social media for your public Body?
4. What do you think are the three biggest challenges with managing social media?

# PRE-SESSION QUIZ

5. Is your Public Body currently managing its social media content?
  - If yes, who is doing this?
  - If yes, how is it doing this?
6. Are there RM risks to social media?
  - If yes, what are some of them?
7. Is your Public Body currently providing employee training on social media?
8. Does your Public Body have a Social Media Policy?
9. Given all the problems with managing social media, should your Public Body NOT be on social media?

# SOCIAL MEDIA

- Facebook
- LinkedIn
- Twitter
- YouTube
- Google
- Skype
- GovLoop
- and many more



## QUESTION #2: IS SOCIAL MEDIA A “RECORD”?

### 41-151.18. Definition of records

In this article, unless the context otherwise requires:

- **"records"** means all books, papers, maps, photographs or other documentary materials,
- **Regardless of physical form or characteristics,**
- **Made or received by any governmental agency** in pursuance of law or in connection with the transaction of public business
- **As evidence of the organization, functions, policies, decisions, procedures, operations or other activities of the government, or because of the informational and historical value of data contained in the record,** and includes records that are made confidential by statute.

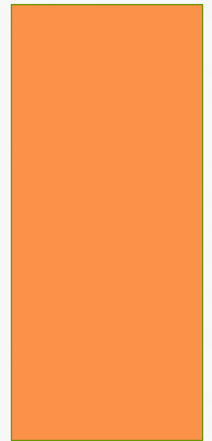
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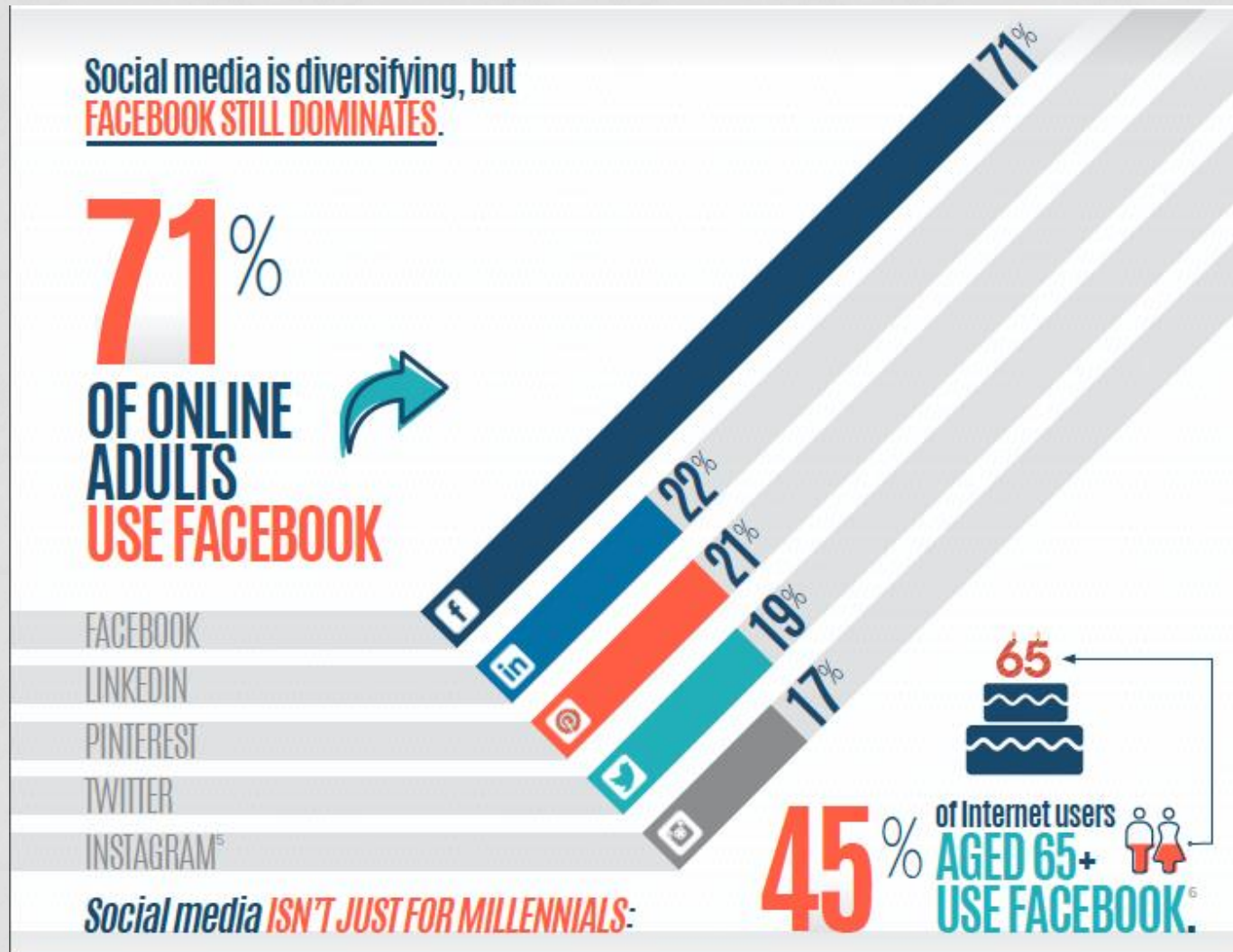
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## **QUESTION #3: BENEFITS OF SOCIAL MEDIA: WHY, WHO, WHERE**

SESSION 6 OF 7 ON RECORDS MANAGEMENT

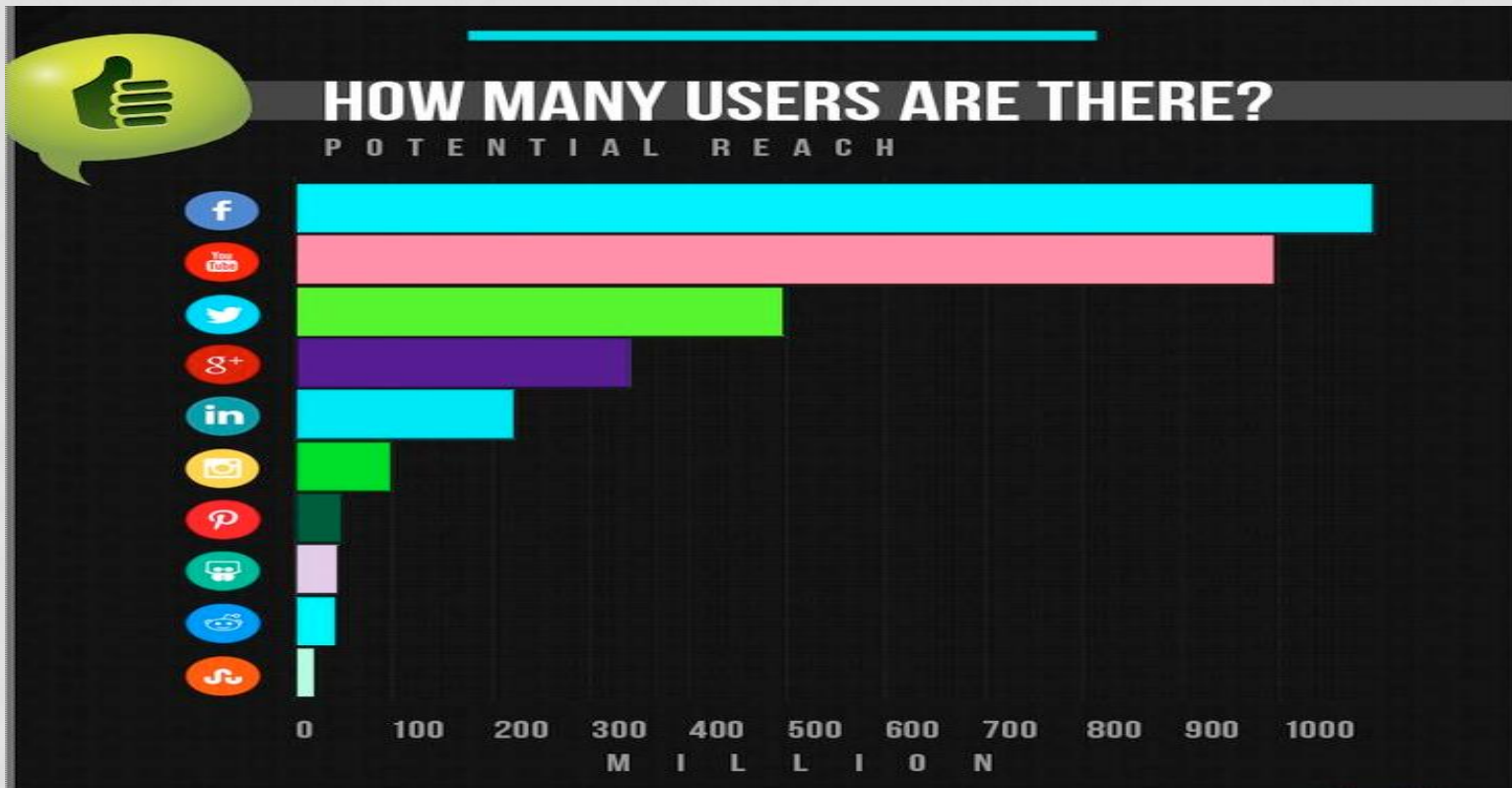


# QUESTION #3: BENEFITS OF SOCIAL MEDIA



# WHERE DOES YOUR AUDIENCE “HANG OUT” ?

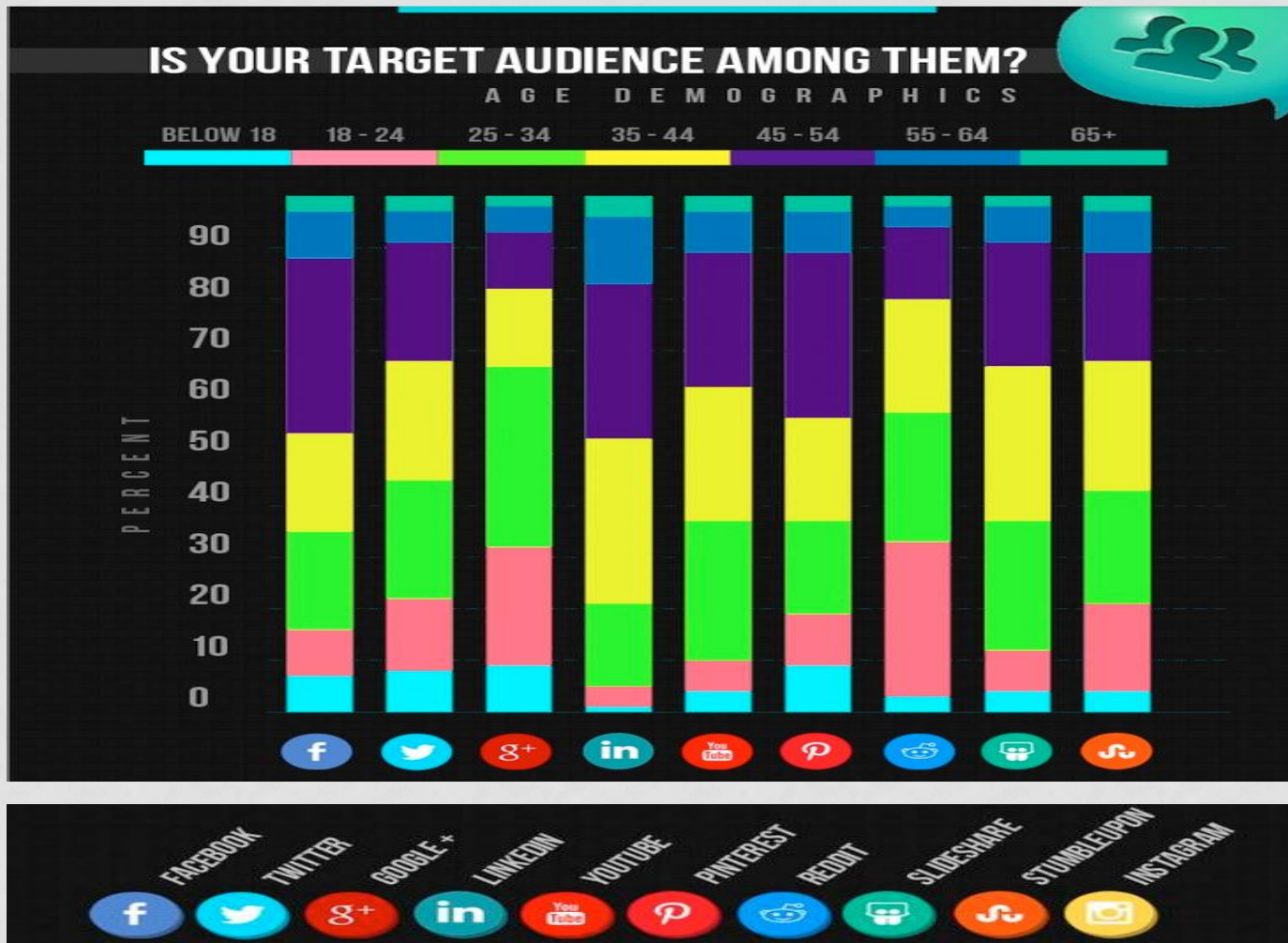
## THE NUMBERS GAME?



<http://pinterest.com/pin/112097478197769776>

# WHERE DOES YOUR AUDIENCE “HANG OUT”?

## AGE IS A FACTOR



# PRIMARY USES OF SOCIAL MEDIA BY GOVERNMENT

## Share

Inform citizens of public services through social content  
*(result: increased access to information)*

## Listen

Observe, analyze and understand what citizens are sharing  
*(result: improved customer service)*

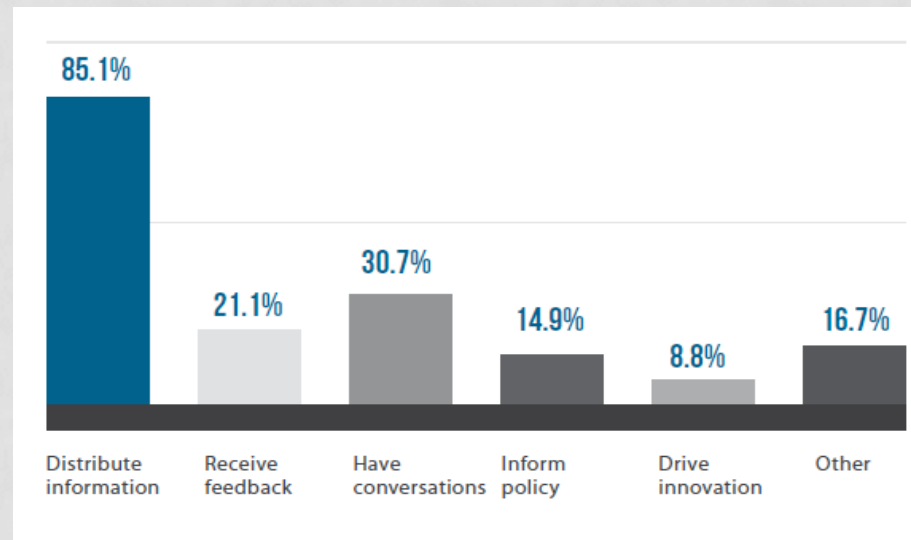
## Engage

Respond, collaborate and create with citizens to improve public services  
*(involve the community directly in government decision making)*

# **BENEFITS OF SOCIAL MEDIA FOR PUBLIC BODIES**

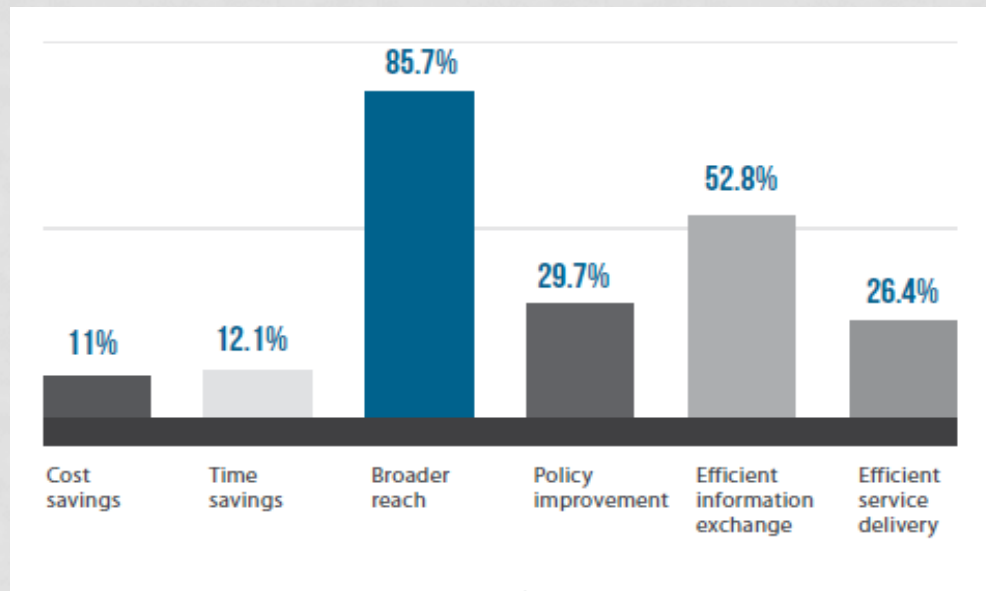
- Provide greater transparency
- Reach citizens where they are (online)
- Provide easier access to services and information for citizens
- Save time
  - word of mouth advertising
  - allowing citizens to answer questions for one another)
- Save money (otherwise spent on print materials and phone calls)

# PRIMARY OBJECTIVE IN USING SOCIAL MEDIA



Results of GovLoop survey with 100 respondents from federal, state, city, and county governments. Source: GovLoop “The Social Media Experiment in Social Media: Elements of Excellence.”

# DEMONSTRABLE MISSION IMPACT



Results of GovLoop survey with 100 respondents from federal, state, city, and county governments. Source: GovLoop “The Social Media Experiment in Social Media: Elements of Excellence.”

# WHAT GOVERNMENT DIVISIONS ARE USING SOCIAL MEDIA?

## WHAT FUNCTIONAL AREA IN YOUR ORGANIZATION USES SOCIAL MEDIA?

FUNCTION	%
Communications / Public Affairs	80.7%
Emergency Management / Fire / Police	34.9%
Parks and Recreation	25.7%
Community Planning	22.9%
Public Works	22.9%
Health and/or Human Services	21.1%
Economic Development	19.3%
Environmental Protection / Services	19.3%
Transportation	17.4%
Budgeting / Finance	11.0%
Acquisition / Contracting	8.3%
Property Management	3.7%
Other	16.5%

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## **QUESTION #4: WHAT ARE SOME OF THE CHALLENGES OF SOCIAL MEDIA**

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# THE “PLACE” OF PUBLIC RECORDS

Why Mix Social Media and  
Records Management?

Isn't Inherent Transparency of Social Media  
Enough?

Are Openness and Transparency the only  
responsibilities of Government?

# **DUTIES OF ALL PUBLIC BODIES AND EMPLOYEES FOR RETENTION & PRESERVATION**

Establish and maintain an active,  
continuing program for the economical  
and efficient management of the public  
records of the agency.

*ARS 41-151.14(A)(1)*

# WHO IS MANAGING ALL THAT STUFF?

## Questions to think about:

- What is the difference between **data and records**?
- Whose “**responsibility**” is it to provide Records Management service to their customers?
- Who is in the **best position to “manage”** electronic records?
- Is the creator of the content / record?
- Or, is the “post-er” of the content / record?
- Why do these questions matter?

# RM QUESTIONS FOR CONTENT MANAGEMENT

Important RM Concept for all forms of Electronic Communication:

- Is **Content** in Communication a **Copy**?
- Is that content (of original not copy) **being retained and managed** (from RM perspective) elsewhere?
- Is **Content Unique** information?
- Is Unique Content **being retained and managed** (from RM perspective)?
- Why do these questions matter?

# WHEN IS SOCIAL MEDIA NOT SO SOCIAL?

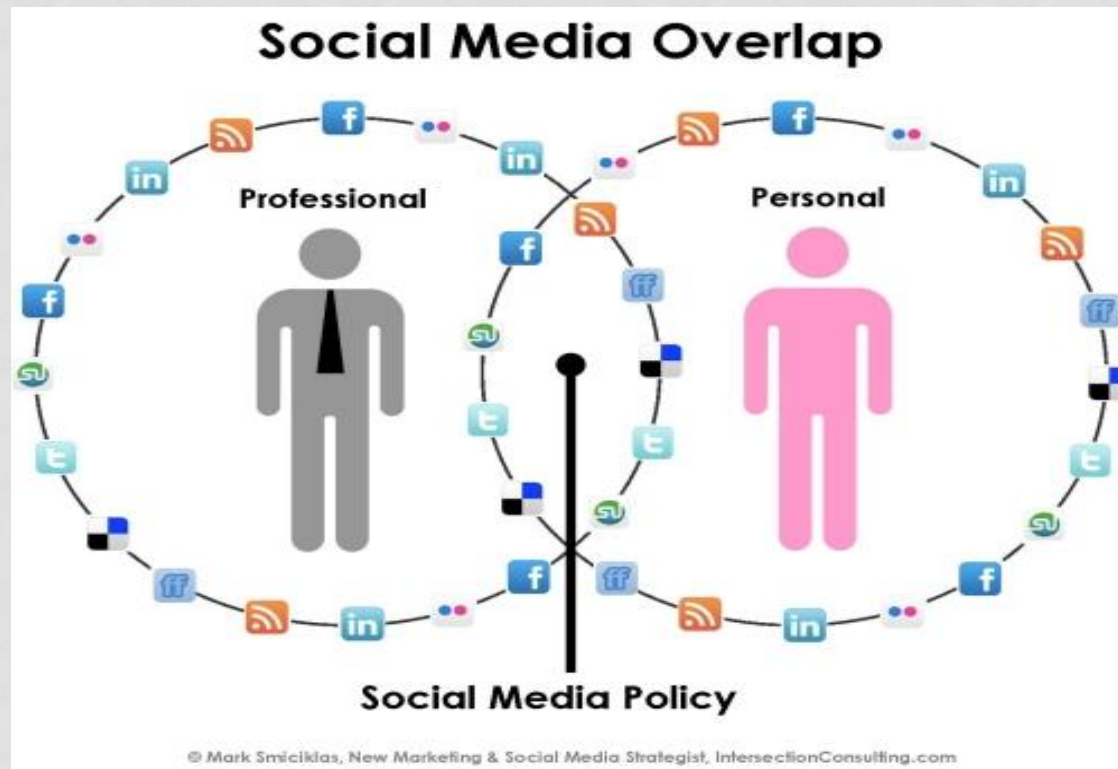
## Challenges with Social Media Records:

- A.R.S. require we (government) control (manage) our records during their entire retention period.
- Social Media sites provide little to no tools to help manage YOUR records on THEIR sites.
- Who controls the content on Social Media sites?

---

= Challenges to compliance with RM Statutes.

# SOCIAL MEDIA OVERLAP



# SOCIAL MEDIA VIRGINS BEWARE!

## 1. If You Post it, You Own It

- Whatever content / records government bodies post to Social Media sites **belongs** to the public body and **NOT** to the Social Media site - from a Records Management point-of-view.

## 2. If You Own It, You Manage It

- If you post something to any Social Media site, and the posting (words, pics, video, etc.) is work-related, then you have a statutory responsibility to retain the posted information for the approved & correct retention period.
- Link to *Social Media Records Retention Schedule*:
- <http://www.azlibrary.gov/records/documents/pdf/all%20-%20email.pdf>

## 3. If You Created It, You Own It

- The **Creator of any content** being posted to social media sites (or other websites) needs to be **responsible for the proper retention** of the content they created.

# YOU'VE GOT THE POWER

## - AT LEAST SOME



### 4. Unique vs. Copy

- **Copies Are Not Records.** As such, copies do not need to be managed.
- **Avoid posting any unique or original content** to social media sites. Post only copies of information being managed elsewhere by a specific person responsible for its retention. This is especially grievous with **Videos** posted to YouTube, and the like.

### 5. “Blogs and Wall Posts, Oh My!”

- These are the two most likely areas for Unique content that will need to be managed.

### 6. Email All Wall Posts

- Make sure you set up your social media site to generate an email to your designated email account (ex. records@azlibrary.gov) **whenever anyone posts a comment to your wall**. You can then manage that email for retention since you cannot manage the retention on your social media site.

# SOCIAL MEDIA CHALLENGES

## (ARCHIVESOCIAL GRAPHIC)

### CHALLENGES OF MANAGING SOCIAL MEDIA

Despite the growing use of social media in the public sector, it is still relatively new and **GOVERNMENTS ARE CHALLENGED BY:**

**LIMITED RESOURCES** (staffing, etc.):



There is a retirement wave hitting government agencies:

**NEARLY HALF OF  
STATE WORKERS  
ARE BETWEEN<sup>11</sup>**

**45-64** YEARS OLD

**LACK OF POLICY:**

**JUST OVER HALF OF STATE GOVERNMENTS**

have policy language in place governing personal use of social media by state employees.<sup>12</sup>

# PUBLIC RECORDS REQUESTS (ARCHIVESOCIAL GRAPHIC)

## RECORDS MANAGEMENT (open records requests, etc.):

On average,  
**AGENCIES  
SPEND** **260** MINUTES  
per day meeting public records requests.<sup>17</sup>

🕒 - 5 minutes



## MANAGING ELECTED OFFICIALS' ACCOUNTS:

**48**% of Americans keep up on  
**POLITICS USING  
FACEBOOK**<sup>18</sup>



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# **WHAT RECORDS MANAGERS NEED TO KNOW ABOUT SOCIAL MEDIA**

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# WHAT'S THE ROI ON RECORDS MANAGEMENT?

The **benefits** of having a **good Records Management Program** in place:

## **Financial Benefits:**

- ❖ Save money and resources previously being spent on storing records  
(physical floor space, server space, off-site storage):
- ❖ Save money and resources for records no longer needed:
  - ❖ spent in searching for, retrieving, copying, producing or redacting records in response to requests

## **Risk Management Benefits:**

- ❖ If you have the information, you need to provide it for Public Records Request, Audit, Investigation, Litigation
- ❖ If you don't have the information because you destroyed it per a Retention Schedule, you are legally OK.
  - ❖ Caveat: records were not destroyed in the face of a Public Records Request, Audit, Government Investigation or Litigation.

## **Process Improvement**

- ❖ Incorporating Records Management into document workflows
- ❖ Converting paper records into move usable electronic formats
- ❖ Properly indexing electronic records for easier retrieval
- ❖ Consolidating physical records into one convenient location with better shelving and storage

# OVERVIEW OF WHAT RM NEEDS TO KNOW

- **Become familiar** with Social Media
- Understand the **value to the organization** and subunits
- Become involved from the start (RIM reference should be in every social media policy)
- Set **strategic plan** to handle social media records
  - both static and dynamic,
  - including the people, objectives, strategies and technologies
- Be sure provisions are made **for transfer or in place preservation**
- Continue to audit results and evaluate processes
- **Update your plan** as necessary
- Scan the horizon for **the next new technology** that results in records that must also be captured and managed—It's sure to come

## **IF ANSWER IS YES TO ANY OF THE FOLLOWING, YOUR SOCIAL MEDIA MUST BE SUPPORTED BY RECORDKEEPING FRAMEWORK**

- Is a high risk or strategic business moving to (using) social media?
- Are business or client management decisions being made or communicated via social media?
- Are internal processes that were formerly supported by defined processes or workflows now moving to social media?
- Will clients rely on information posted to social channels?
- Will corporate reporting or accountabilities rely on the information posted to social media?
- Will any of the content being used on social media channels be reused?

# DEVELOP A DEFENSIBLE RIM PROGRAM

- Create and implement a records and information management (RIM) program.
- Consider legal retention requirements ‘before’ implementing social media initiatives.
- Publically state you will be capturing and keeping social media information you need to support your operations.
- Periodically delete ESI (Electronically Stored Information) according to your “formal” retention policy.
- Enforce, evaluate, and update your Social Media and Records & Information Management policies and practices.

# TO IMPLEMENT SOCIAL MEDIA RECORDKEEPING

- Understand the specific risks that apply to social media
- Know what the organization is doing with social media
- Develop a social media information strategy
- Support social media use with a policy that supports recordkeeping
- Be proactive
- Keep abreast of emerging trends in social media systems and use
- Patricia C. Franks, PhD, CRM (From presentation to NAGARA - Indianapolis, given on July 12, 2013)

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# **YOUR SOCIAL MEDIA RM ARSENAL**

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# **SOCIAL MEDIA SOLUTION: A POLICY, A MATRIX, AND A PRACTICE (RM)**

## **Components of a Fully Integrated RM Solution to Social Media:**

### **❖ “4 Pillars” of Records Management**

Retention Schedules

Policies

Training

Documentation and Auditing

### **❖ Social Media Matrix**

### **❖ Implementation and execution (enterprise-wide)**

### **❖ Software / Technology Solution**

## **Understanding the Solution?**

### **❖ What is required in order to be in compliance?**

### **❖ What your solution can and cannot do**

### **❖ Need to create a workaround**

# SOCIAL MEDIA RETENTION PERIODS

*Social Media Records managed by content*

Public Information and Marketing Records General Retention Schedule:

[http://apps.azlibrary.gov/records/general\\_rs/Public%20Information%20and%20Marketing.pdf](http://apps.azlibrary.gov/records/general_rs/Public%20Information%20and%20Marketing.pdf)

# HOW LONG DO WE NEED TO KEEP SOCIAL MEDIA RECORDS?

## 3 MAIN RETENTION PERIODS

**Retention Period:** After reference value has been served

Type of Record:

Graphic Art (temporary / minor, draft)

**Retention Period:** 2 years after calendar year created or received

Type of Records:

Advertising and Outreach Records, Broadcast Logs, Photographs, Press Releases, Public Event Records (including calendar), Public Service Announcements (PSA), Speeches

**Historical Records: Permanent.** May Transfer to State Archives

Type of Records:

Graphic Art (Final version)

Records of enduring value

# **SOCIAL MEDIA POLICY...**

## **RECORDS MANAGEMENT PERSPECTIVE**

- ❖ State and Understand Why You Are Using Social Media
- ❖ Define the Roles and Responsibilities
- ❖ Determine Who “Owns” the Content
- ❖ “Use the Matrix, Luke”
- ❖ Use the *Terms of Use*
- ❖ Execution, Implementation, Compliance and Auditing

# KEY ASPECTS TO YOUR SOCIAL MEDIA POLICY

- **Identifying what constitutes a record** on social media platforms
- Defining ownership of content and **responsibility for managing the records**
- Developing recordkeeping requirements
- Incorporating recordkeeping practices and requirements into Terms of Use
- **Communicating records policies so employees** and the public understand how records will be managed
- Monitoring the **ongoing use of social media platforms** to determine if that use changes the value of the records
- Monitoring any changes to third-party terms of use

# SOCIAL MEDIA MATRIX

## Overall Goals of the Matrix:

- ❖ Map business (or unit) moving to social media
- ❖ Map information moving to social media
- ❖ Assess your information needs and expectations
- ❖ Assess public accountabilities

# QUESTIONING THE MATRIX

## Question to ask and answer BEFORE:

- ❖ Why are you using social media?
- ❖ Intended vs Actual audience?
- ❖ Goals?
- ❖ Message?

## Information to Capture:

- ❖ Who “owns” the product?
- ❖ Departments / Individuals using Social Media?
- ❖ Sites are they using / links?
- ❖ Access keys?
- ❖ Content?

# GO BACK TO THE MATRIX – EXAMPLE OF US GOVERNMENT SOCIAL MEDIA MATRIX

Matrix of Web 2.0 Technology and Government

Technology	Simple Definition	Examples	Opportunity/Potential in Government
Blogs	Journal or diary with social collaboration (comments)	<a href="#">33 federal agencies have public blogs</a> , <a href="#">USA.gov government blog library</a> , <a href="#">Webcontent.gov</a> advice, <a href="#">GovGab.gov</a>	Govt info to new audiences. Puts human face on govt using informal tone. Opens public conversations. Surface issues & solve them.
Wikis	Collaborative authoring & editing	<a href="#">GSA Collab Environment</a> , Core.gov, MAX, <a href="#">NASA</a> , <a href="#">US Courts</a> , Intellipedia, PTO, Diplopedia, PeaceCorps, Utah Politicopia	Workgroup or public collaboration for project management, knowledge sharing, public input. Contributions to 3 <sup>rd</sup> party sites e.g. Wikipedia
Video Sharing (and Multimedia)	Videos, images, & audio libraries (YouTube, AOLVideo, YahooVideo, tubemogul, heyspread...)	<a href="#">USA.gov Multimedia library</a> , NOAA & <a href="#">NASA YouTube</a> , <a href="#">Coast Guard</a> , <a href="#">CA &amp; VA YouTube Channels</a> , <a href="#">Americorps contest</a> , <a href="#">Tobacco Free Florida contest</a>	Public outreach, education, training, other communication for “connected” and on-line audiences. How To videos & audios to improve service and achieve mission.
Photo-Sharing	Photo libraries	<a href="#">USA.gov fed/state photo libraries</a> , LoC & USGS galleries w <a href="#">Flickr</a> API, EPA contest	Cost savings potential. New audiences. Awareness.
Podcasting	Multimedia content syndicated out for use on iPod TM, Mp3 players & computers	<a href="#">White House</a> , <a href="#">NASA</a> , <a href="#">USA.gov federal podcast library</a> , <a href="#">Webcontent.gov</a> , Peacecorps, Census daily podcasts	More ways to get message out. Build trust with conversational voice. Use for updates, live govt deliberations, emergencies, how-to messages
Virtual Worlds	Simulations of environments & people (Webkinz, Club Penguin, Neopets, Stardoll, Whyville, Second Life, Active Worlds, Kaneva, ProtoSphere, Entropia Universe, uWorld)	NASA, NOAA, CDC in SL & Whyville, VA, Natl Guard, <a href="#">Energy</a> , DoD, <a href="#">National Defense Univ Federal Consortium for Virtual Worlds</a> , <a href="#">Real Life Govt in 2nd Life Google group</a>	Public outreach & other communication for kids and niche Internet audiences. Virtual Town Halls, Education, Training. Ability to bring people together worldwide for meetings, lectures, etc.
Social Networking Sites	Connecting people globally	<a href="#">EPA Facebook group</a> , <a href="#">NASA Colab</a> , USAgov Facebook page, MySpace, LinkedIn	Intranet use to cross internal stovepipes. Cross government coordination. Public communities. Viral impact. Knowledge mgmt. Recruitment. Event announcements.
Syndicated Web Feeds	Automated notifications of frequently updated content (think RSS)	USA.gov Federal RSS Library, <a href="#">NOAAWatch</a>	Do more with RSS, XML/Web feeds. Expand reach. Pull content together across government. Authoritative source. Reduce duplication.
Mashups	Combine content from multiple sources for an integrated experience	<a href="#">USA Search</a> , USGS, NASA, EPA, <a href="#">Virtual Earth</a> , <a href="#">Google Earth</a> , <a href="#">Google maps</a>	Lots of potential. Improved govt reach, service, usefulness, and functionality. Integrate external data. Get licenses, stay vendor neutral. Make content available to others who create mashups
Widgets, Gadgets, Pipes	Small applications & code in Web pages or for desktop use	<a href="#">FBI widgets</a> , Veterans Affairs, <a href="#">Census Population Clock</a> & <a href="#">NASA Planet Discoveries</a> Desktop widgets	Increase awareness, use, and usefulness of .gov sites, information, and service. Bring content to the user’s home page (iGoogle, netvibes, etc)
Social Bookmark & News (Sharing, Tagging) Sites	Ways of sharing content with others	<a href="#">USA.gov</a> , <a href="#">NASA</a> , <a href="#">Govt blogs</a> , <a href="#">Digg</a> , <a href="#">Delicious</a> <a href="#">Technorati</a> <a href="#">AddThis</a>	Increase the popularity and use of .gov pages, information, and services. Viral marketing.
Micro-blogging. Presence Networks.	Form of blogging which allows brief (Instant Message size) text updates.	Twitter, Jaiku, Crompte, Pownce, NASA Edge, USA.gov, GovGab, Univ of Mich	Seek input. Broadcast msgs: emergencies, news, announcements. Real time reportg. Recruitg.

# MATRIX TEMPLATE

**SOCIAL MEDIA MATRIX**

TECHNOLOGY	LINK TO	WHAT IS THE MESSAGE?	DEPARTMENT	WHO IS AUTHOR?	USERNAME	PASSWORD	FREQ.
Facebook	<a href="#">www._____</a>	Current Events	Parks and Recs	Jane Smith	janeparks	playground15	Weekly
Blog	<a href="#">www._____</a>	City Technology	I.T.	Jim Jones	JimCIO	ivegotthepower	Weekly
Twitter	<a href="#">www._____</a>	Public Safety	Police Department	Capt. Willams	captsafety	gotyoucovered	Hourly
Twitter	<a href="#">www._____</a>	Traffic Problems	Transportation	Betty White	BettyWhite	lifeisahighway	Hourly

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# **VERIFYING YOUR MUNICIPALITY'S SOCIAL MEDIA ACCOUNTS**

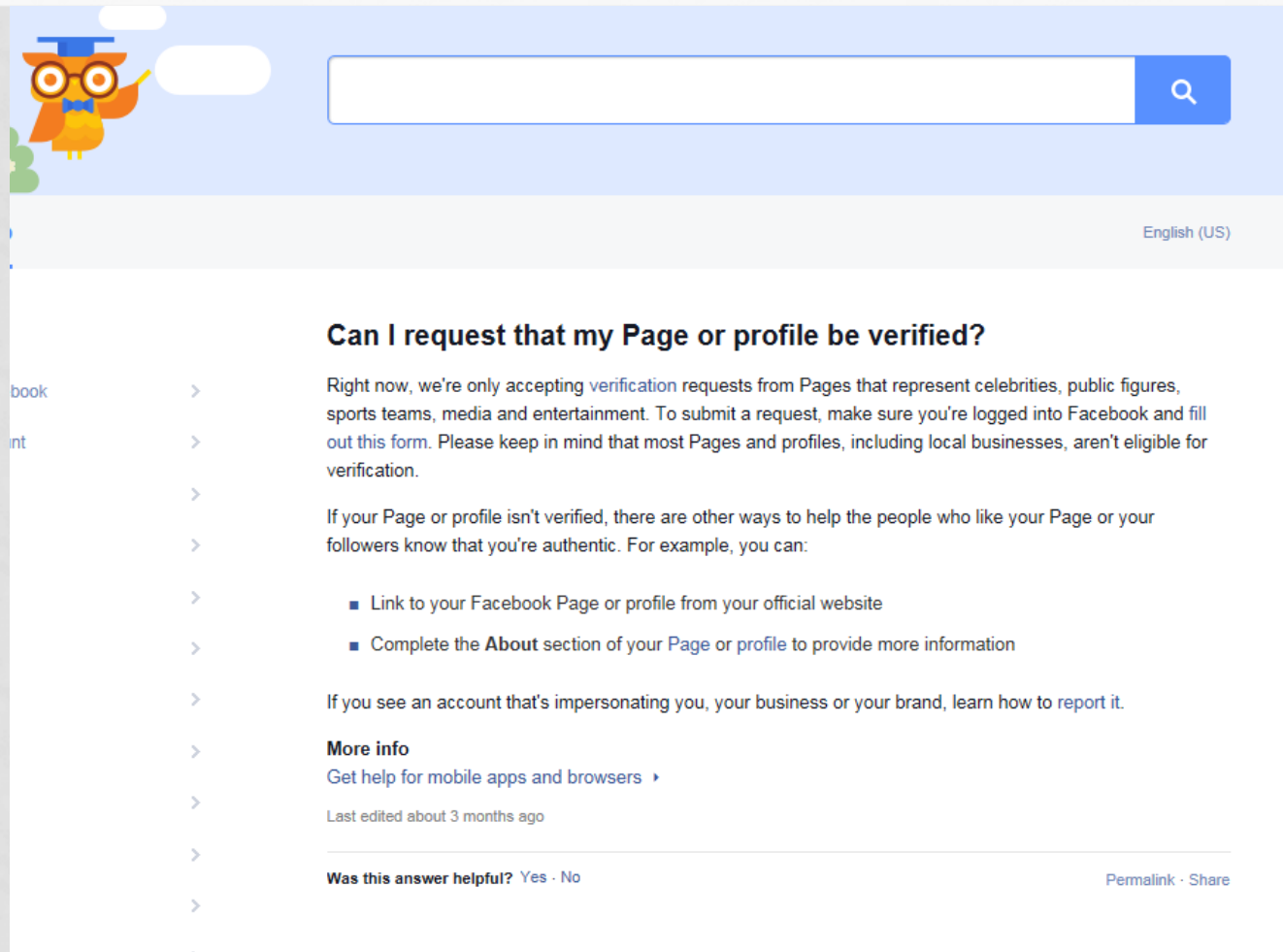
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# WHY VERIFY YOUR MUNICIPALITY'S SOCIAL MEDIA SITES?

1. Verification ensure the public we are who we say we are
2. More important now than ever: thousands of government pages on social media and more all the time
3. Impersonation and Parody accounts are common
4. Fake accounts can create confusion and chaos  
Examples: Baltimore riots saw as many as 100 fake government accounts  
Hurricane Sandy impersonation accounts gave misleading information
5. Fake accounts can hijack your message
6. Verify NOW and not later – after an emergency, problem

# HOW TO VERIFY FACEBOOK ACCOUNTS



<https://www.facebook.com/help/100168986860974>

# HOW TO VERIFY TWITTER ACCOUNTS

## THE BASICS

### Verification on Twitter

#### Verified accounts

Twitter proactively verifies accounts on a regular basis to make it easier for users to find who they're looking for. We concentrate on highly sought users in music, television, government, politics, religion, journalism, fashion, media, advertising, business and other categories where people might be highly visible. We verify qualified business partners and individuals who are at high risk of impersonation, such as celebrities and politicians.

Verification makes it clear to our users, and others on the Internet who can view your Twitter feed, that the Tweets being posted to your account are really coming from you. When you're verified, we put a blue badge with a check mark next to your @username. All accounts with this badge have been checked and authenticated by Twitter.

#### To be considered

- The Twitter accounts you request verification for must be connected to a company domain email address.
- The account must be actively tweeting and have a complete profile, including the user's real name, bio, photo and a URL link.

#### Please note

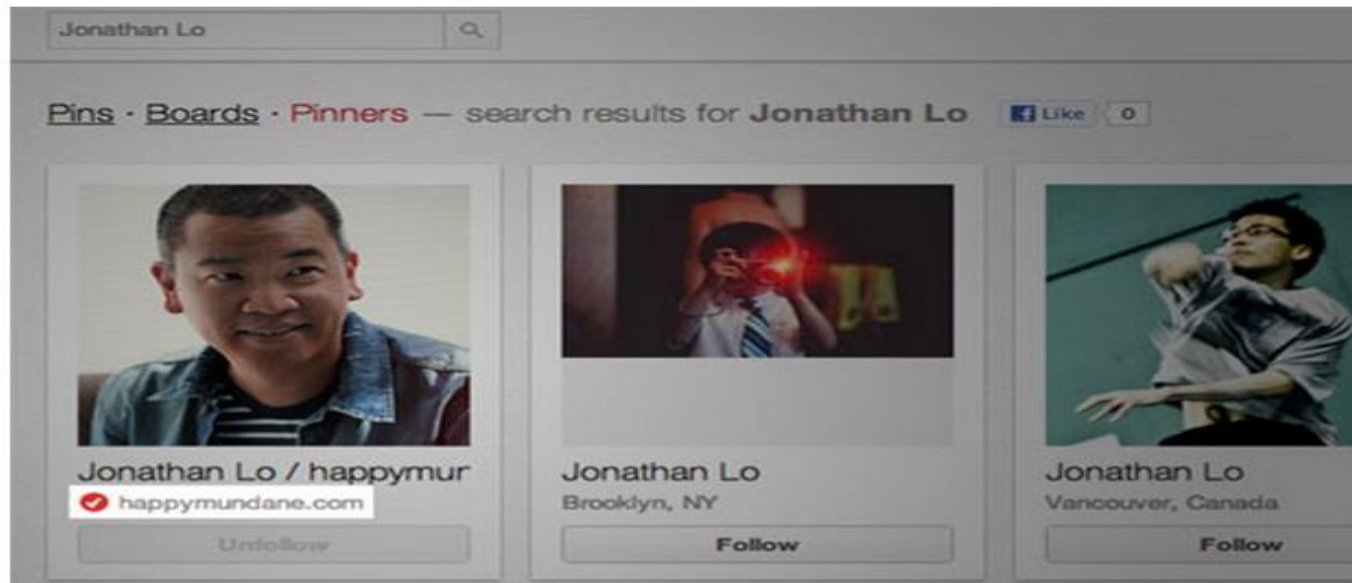
Twitter currently does not accept applications for verification. If we identify your account as being eligible, we will reach out to you to start the verification process.

<https://media.twitter.com/best-practice/how-to-get-verified>

# HOW TO VERIFY PINTEREST ACCOUNTS

## How to Verify Your Account

Pinterest's verification feature lets you validate that you own the website listed on your Pinterest profile.



To verify your website, visit your Settings page and click on the Verify Website button. Pinterest supports only top-level domains, but you can send suggestions on alternative verification options [using this Google Docs Spreadsheet](#).

Pinterest will ask you to download a HTML verification file and upload it to your Web server. Once Pinterest [verifies your website](#), other Pinterest users will see a checkmark next to your domain in search results and the full website URL and checkmark on your profile.

# FEDERAL GOVERNMENT VERIFICATION TOOL – NICE TO HAVE A MUNICIPALITY EQUIVALENT?

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- [Phone](#)

Share: [Facebook](#) [Twitter](#)

The government uses social media tools like Twitter, Facebook and YouTube to connect with people and communicate official information, so it's important to know if a social media account is really managed by the federal government.

This tool lets you verify if a social media account is managed by the U.S. federal government.

You can look up accounts managed by federal agencies, elected officials, heads of agencies or members of the President's Cabinet.

**To see if a social media account is managed by the U.S. federal government, please paste its complete URL here:**

Example: <http://twitter.com/whitehouse>

### Types of accounts we can verify:

- Blip
- Disqus
- Facebook
- Flickr
- Foursquare
- Github
- Google+
- IdeaScale
- LinkedIn

**MICHELE  
REAGAN**

*Secretary of State  
State of Arizona*



Arizona State Library,  
Archives & Public Records

# **LEGAL CHALLENGES OF SOCIAL MEDIA FOR MUNICIPALITIES**

SESSION 6 OF 7 ON RECORDS MANAGEMENT



# RISK COMPONENT – TERMS OF USE (TOFU) CONTRACTS

**Problem – If you want to use the Social Media site you Agree!**

- Employee mindset toward setting up Social Media account is trained by their own personal use of Social Media
- We have been trained by previous use to “Click to Agree” to Terms and Conditions – but **this is a CONTRACT**
- **Contract between Public Body and Social Media site** very likely to be established by employee NOT Lawyer or Procurement professional
  - Employee likely did not even scroll through ToFU to review for acceptability
  - If they did, they probably would not know what is significant, what is in violation of Public Body procurement policies & practices, etc.

# FACEBOOK – CALIFORNIA IS JURISDICTION

- If you (or your employees) click “Accept” – **Your Public Body** Agrees to:
  - You agree to handle any legal challenges in California
    - Santa Clara County
    - California State Laws apply
    - Agree to limit Indemnity
    - Are your Public Body Attorneys licensed in California?
  - What You Lose – Your right to **handle dispute in Arizona**

# **SUCCESSSES FROM STATE & MUNICIPAL PARTNERSHIP - NEW FACEBOOK TOFU FOR PUBLIC BODIES**

New Option for 2011

State and Local Government Exception – What You Get

- **Strikes Jurisdiction / venue in CA**
- **Strikes Application of CA Law**
- **Strikes the indemnity clause except to the extent indemnity is allowed by a state's constitution or law**
- **Encourage amicable resolution between public entities and Facebook over any disputes**

# FACEBOOK GOVERNMENT EXCEPTION – HOW TO GET IT

- State and Local Government Exception Applies **ONLY IF:**
  - Select “Community / **Government**” Designation
  - **MUST** Link Facebook page to your Government website
  - **Do NOT** click “Education” or “Organization”
  - If you opened Facebook page before 2011 – **MUST** change page to “Government”

# ADDITIONAL LEGAL CHALLENGES OF SOCIAL MEDIA

- Harassment
- Defamation
- Copyright/Trademark infringements
- Breach of Confidentiality
- Endorsement Advertising Violations
- Recordkeeping

# SOCIAL MEDIA COURT CASE (ONLINE PERSONNA)

**Eagle v. Morgan, 2013-11-4303 (E.D. Pa. 2013)**

One of the first trials on the issue of **who owns social media accounts**:

The individual **Employee** who first **created** the account?

Or the **Employer** whose business was promoted using the account?

The U.S. District Court for the Eastern District of Pennsylvania held that **an employer's conduct, absent a company social media policy**, resulted in the torts of unauthorized use of name, invasion of privacy by misappropriation and misappropriation of publicity.

# “ONLINE PERSONNA” COURT CASE (CONTINUED)

The employer may have prevailed *if it had implemented a social media policy* that covered factors relevant to ownership, such as whether:

- (1) the employer paid the social media account fees;
- (2) the employer dictated the precise contents of the employee's account;
- (3) the employee acted expressly on behalf of the employer due to their position, role or responsibility; or
- (4) the social media account was developed and built through investment of the employer's time and resources.

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## **SPECIFIC PROBLEM AREAS**

SESSION 6 OF 7 ON RECORDS MANAGEMENT



# 1. BEWARE “EXECUTIVE COMMUNICATION” AND SOCIAL MEDIA

## \*\*\*Beware “Executive Correspondence” in Social Media\*\*\*

- Executive Correspondence is a **Permanent** record if it “sets or discusses policy”.
- **Any communication / correspondence** that either discusses or sets policy, and takes place in any “physical form or characteristic” (ARS §41-1350), involving an executive (any Board, Commission or Council member, an Agency Director, elected official, County / Department / Division Leadership) will meet the definition of “Executive Correspondence”.
- Since Policies are Permanent, then executive discussions of Policies become important Permanent records to help provide context to the Policy(ies).
- **Where** this discussion takes place does not matter: could be on paper, on a website, in an email, on Social Media, in a blog, in a shared workspace, definitely in Sire, etc.
- This specific records series is from the *Management Records* General Retention Schedules

Why is this a challenge?

## 2. BEWARE OF HISTORICAL RECORDS

If a record is historically significant, it is a permanent record.

\*\*Permanent Records are of interest to the State Archives and future researchers.

Records are deemed **historically significant** records when they:

- Document a **controversial issue**
- Document a program, project, event or issue that **results in a significant change that affects** the local community, city, county or state
- Document a program, project, event or issue that **involves prominent people, places or events**
- Document a program, project, event or issue that **resulted in media attention** locally, statewide or nationally

Why is this a challenge?

# 3. ELECTED OFFICIALS AND SOCIAL MEDIA

- Avoid “cleaning house” to make room for the newly elected official.
- Include both in-house and vendor / media produced
- Controversial Topics / Topics of Interest (prev. 2 slides)
- What records on Social Media will be of interest to the State Archives and the future:
  - Videos / Tweets / Media attention specifically involving the elected official
  - Inauguration
  - Speeches / Statements
  - Letters / Proclamations
  - Press Releases
  - Significant Events
  - Photos
  - Bio Statements
  - Involving Core Values / Duties of Office

# 4. VIDEO AS RECORD / PERMANENT RECORD

**Videos and Tweets: Your website, YouTube, FaceBook, Twitter, etc**

- **Make sure your only copy of the video / tweet is NOT online @ Social Media site.**

**What types of videos / tweets would be of interest:**

- Involving Core Values / Duties of Office
- Deal with controversial topics and/or topics of interest – You will recognize many of these issues, especially if you suddenly get a large number of letters, calls or e-mails on a hot topic:
  - in **opposition** to an issue
  - in **support** of an issue
  - expressing a concern**
- **Examples of Current / Recent Issues**  
Abortion, Alternative fuels, Environmental issues, Fiscal concerns, Forests, wildfires and forest management, Gambling / casinos, Gas prices, Gay rights, Gun control, Freeways or highways, Illegal immigration, Land and development issues, Legalization of drugs, Legislation (involving your Agency), Important landmarks (if you still have correspondence), Terrorism/terrorists, Water issues, Welfare issues (for or against)

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# **LIMITED RETENTION TOOLS AVAILABLE FROM SITES**

SESSION 6 OF 7 ON RECORDS MANAGEMENT



# SOCIAL MEDIA TOOLS FOR CAPTURING CONTENT - WARNING

- The following slides present free options for downloading and saving content from social media sites. We are not promoting these sites, we are not approving these sites, but we are bringing to your attention the fact that there are some free tools available to help with social media content.
- Some social media sites now provide built-in “archiving” tools that will help you capture the content in a location outside of the social media site.
- Most of these tools are NOT RM approved tools, because they don’t have any retention capabilities, but merely a way of grabbing and saving content.
- These may not provide a legally defensible audit trail in court, so choosing between the tools requires a critical analysis, and may require additional technology layers.
- Since Facebook and Twitter did not initially provide archiving tools themselves, some other third-party applications have popped up to perform the task.

# CAPTURING BLOGS

- If the blog does not contain comments, **the blog posts can be captured and saved to a content management system** before they are uploaded to the site.
- If the blog does contain comments, **an RSS feed can be used to capture comments and forward them to the organization.**
  - Some organizations use a sampling technique to capture some but not all of the comments made by visitors to the blog.
- If the entire blog, not individual posts, risers to the level of a record, **the entire blog site can be captured in the same way a website is captured.**
  - See RM Session 5 on Electronic Records

# DOWNLOADING FACEBOOK INFORMATION – FROM FACEBOOK

## How can I download my information from Facebook?

- You can download your information from your settings. To download your information:
- Click at the top right of any Facebook page and select **Settings**
- Click **Download a copy of your Facebook data** below your General Account Settings
- Click **Start My Archive**
- Because this download contains your Timeline information, you should keep it secure and be careful when storing, sending or uploading it to any other services.

## Can I pick and choose which information I would like to download?

- Unfortunately, there's no way to individually select which data you would like to download when you download your Facebook info. You'll have to download your file in its entirety.

Here is a link to information on “archiving” your Facebook information, which actually comes from Facebook.

- <https://www.facebook.com/help/131112897028467>

# SAVING GOOGLE+ CONTENT

## Google+

- Google Takeout is the official way to backup information from Google+ and other Google services like YouTube or Picasa.
- Visit [Google Takeout](#).
- By default, All of Your Data is selected but you can click Choose Services if you only want your Google+ stuff. Either way, choose what you want to backup and click the Create Archive button.
- Takeout will then start compiling all the information into a ZIP file you can download. If you don't want to wait – for me it took less than a minute, but I don't have many files in Google Drive or Picasa – you can just check the box that says “Email me when ready.”
- Once the ZIP file is ready, click the Download button.
- Even if you're already logged in, you'll need to enter your Google account password, after which you'll need to click the Download button again before the download will begin.
- Frankly, it works great. The ZIP file is very logically organized and the files are named very clearly in it. My only complaint is that not many non-techies are going to know how to get information out of the JSON files exported from Google Profile and Google Reader, but the Google+ export files are in other, easy-to-read file formats such as VCF or HTML.

# SAVING LINKEDIN CONTENT

## LinkedIn

### Connections

- Login to [LinkedIn](#)
- Click on “Contacts” near the top of the page
- On the Contacts page, click the “Export Connections” link at the bottom.
- On the Export LinkedIn Connections page, choose the export file format and click the Export button
- Fill in the captcha information and click Continue
- The file will start to download
- I chose “Microsoft Outlook (.CSV file)”. The result was comma-separated and the information included was First Name, Last Name, E-mail Address, Company and Job Title.

### Profile

- Login to [LinkedIn](#)
- Click on “Profile” to visit your profile page
- Look for the Edit button with the down arrow. Hover your mouse over it and then choose Export to PDF from the menu that appears.
- You can export anyone’s profile as PDF. When you visit their profile page, look for the Send InMail button instead of the Edit button.
- The entire profile gets exported, including skill endorsements and recommendations, but only the latter are credited.

# TWITTER TOOL FOR DOWNLOADING YOUR TWITTER ARCHIVE

 Help Center



English ▾

Got an account? Sign in

Welcome to Twitter

Me

Notifications

Discover

Mobile & Apps

Troubleshooting

Account settings

Security & privacy

Profile settings

Direct messages

Lists

Favorites

Photos & media

## Downloading your Twitter archive

Downloading your Twitter archive to allows you to browse a snapshot of your Twitter information, starting with your first Tweet.

### To download and view your Twitter archive:

1. Go to your [account settings](#) by clicking on the **gear icon** at the top right of the page and selecting **Settings** from the drop-down menu.
2. Click **Request your archive**.
3. When your download is ready, we'll send an email with a download link to the confirmed email address associated with your Twitter account.
4. Once you receive the email, click the **Go now** button to download a .zip file of your Twitter archive.
5. Unzip the file and click **index.html** to view your archive in the browser of your choice.

**Please note:** It may take a few days for us to prepare the download of your Twitter archive.

Was this article helpful?

Yes

No

# **SOCIAL MEDIA / NETWORKING POLICY TEMPLATE - LINKS**

## **State of Arizona Social Media Policy:**

**[https://aset.az.gov/sites/default/files/P505%20Social%20Networking%20Policy\\_0.pdf](https://aset.az.gov/sites/default/files/P505%20Social%20Networking%20Policy_0.pdf)**

## **National Archives Guidance on Social Media:**

**<http://www.archives.gov/records-mgmt/bulletins/2011/2011-02.html>**

## **Social Media Database of 113 Policies:**

**<http://www.socialmediatoday.com/SMC/155843>**

## **Web 2.0 Governance Policies and Best Practices:**

**<http://govsocmed.pbworks.com/w/page/15060450/Web-2-0-Governance-Policies-and-Best-Practices>**

## **Social Media Policies Database:**

**<http://socialmediagovernance.com/policies.php>**

# GOT QUESTIONS?



\*\*\*Please complete an **Evaluation** – in email with on-line session instruction\*\*\*

# HELPFUL CONTACTS

**Records Management Center (LAPR):**

<http://www.azlibrary.gov/records/>

Phone: 602-926-3815

[records@azlibrary.gov](mailto:records@azlibrary.gov)

**Jerry Lucente-Kirkpatrick:**

[jkirkpatrick@azlibrary.gov](mailto:jkirkpatrick@azlibrary.gov)

Phone: 602-926-3820

**Dr. Melanie Sturgeon:**

[msturgeon@azlibrary.gov](mailto:msturgeon@azlibrary.gov)

Phone: 602-926-3720

Toll Free: 1-800-228-4710 (Arizona only)

**State Ombudsman's Office**

<http://www.azleg.gov/ombudsman/default.asp>

**State Attorney General – Public Records Publication**

<https://www.azag.gov/sites/default/files/sites/all/docs/agency-handbook/ch06.pdf>

**AIIM – Global Community of Information Professionals**

<http://www.aiim.org/>

**ARMA International:**

<http://www.arma.org/>

**Institute of Certified Records Managers (ICRM):**

<http://www.icrm.org/>

**National Archives and Records Management (NARA):**

<http://www.archives.gov/records-mgmt/>

**National Association of Government Archivists and Records Administrators (NAGARA):**

<http://www.nagara.org/index.cfm>